

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

ANTHONY BERNARD SIMS,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 3:24-CV-661-WKW
)	[WO]
RUSSELL COUNTY SHERIFF)	
DEPARTMENT, RUSSELL)	
COUNTY JAIL DETENTION)	
FACILITY, HEATH TAYLOR,)	
STEVE JOHNSON, LIEUTENANT)	
WILLIAMS, PAUL WEATHERLY,)	
and IAN PARKER,)	
)	
Defendants.)	

ORDER

Plaintiff Anthony Bernard Sims, an inmate in the custody of the Alabama Department of Corrections, filed this 42 U.S.C. § 1983 action seeking monetary damages and injunctive relief for alleged violations of his federal constitutional rights while incarcerated at the Russell County Jail. Contemporaneously with the initiation of his Complaint on October 16, 2024, Plaintiff filed a Motion for Leave to Proceed *In Forma Pauperis*. (Doc. # 2.) In an Order entered on October 21, 2024, the court directed Plaintiff to submit an inmate account statement by November 4, 2024. (Doc. # 4.) The Order also cautioned Plaintiff that his failure to comply with the Order would result in a recommendation for dismissal of this action. (Doc. # 4

at 2.) Plaintiff did not submit the account statement by the deadline; therefore, on January 9, 2025, the Magistrate Judge filed a Recommendation for dismissal of this action without prejudice based on the authority of courts to dismiss cases for failure to prosecute or obey court orders, as supported by Rule 41(b) of the Federal Rules of Civil Procedure and controlling case law. (Doc. # 5 at 1–2.) Plaintiff had until January 23, 2025, to file objections (*id.* at 2); however, to date, no objections have been filed.

Based upon the foregoing and an independent review of the record, it is ORDERED as follows:

- (1) The Recommendation (Doc. # 5) is ADOPTED; and
- (2) Plaintiff's action is DISMISSED without prejudice.

Final judgment will be entered separately.

DONE this 14th day of April, 2025.

/s/ W. Keith Watkins

UNITED STATES DISTRICT JUDGE